UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,167	09/12/2003	Dmitry M. Smirnov	021756-017900US	7522

51206   7590   07/16/2010
TOWNSEND AND TOWNSEND AND CREW LLP/ORACLE
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
GOFMAN, ALEX N

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
07/16/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/661,167	SMIRNOV ET AL.
	Examiner	Art Unit	
	ALEX GOFMAN	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _22 June 2010_.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _32-42,44-48,50-52,55,56,59,60 and 65-68_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _32-42,44-48,50-52,55,56,59,60 and 65-68_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _12 September 2003_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee

set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Since this application is eligible for continued examination under 37 CFR 1.114,

and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the

previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on June 22, 2010 has been entered.

Response to Arguments

2.   Applicant's arguments have been fully considered but they are not

persuasive.

       As arguments of Claim 32, the Applicant states that Lee does not disclose

the limitation "calling a dynamic function defined in the first compound transform

definition, the dynamic function located elsewhere from the definition pointer

position." The Examiner respectfully disagrees.

       The only place in the specification of the instant application dealing with

dynamic functions is found in paragraph [0042] and it states that "A dynamic

function is illustrated in FIG. 4B lines 80-87. Dynamic functions are optionally

configured to perform logic operations, external process calls, or other operations

associated with a computer function and to transform payload Data 230 in response."

Lee [0330] describes having a peripheral program, [0331] further describes calling the peripheral program "as part of the translation process." This means that the peripheral program is part of the transformation process, including a part of the "first compound transform definition." Also, Lee [0302] describes a data registry file which is a lookup table that contains data used for determining a specific output structure. Calling of the registry file may also be considered a "dynamic function" since it is part of the compound transform definition and it calls an external program.

Therefore, Lee discloses the argued limitation of Claim 32.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 32-42, 44-48, 50-52, 55-56, 59-60 and 65-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Patent Application Publication

2002/0129024), hereinafter, <u>Lee</u> in view of <u>Chung et al</u> (US Patent 6,850,947),

hereinafter, <u>Chung</u>.

    Claim 32: <u>Lee</u> discloses a method of transforming data, the method

comprising:

    a. positioning a definition pointer to point at a first compound transform

definition within a transform process definition [0321]. [The program identifies

entries for a name, Bob Smith. The name may serve as a specific identifier like a

pointer. Information related to Bob Smith is found and transformed into the

appropriate format.]

    b. invoking a processing thread to read the pointed at first compound

transform definition [0321].

    c. searching data to be transformed for a data element to be transformed,

the search being responsive to the first compound transform definition [0321].

    d. calling a dynamic function defined in the first compound transform

definition, the dynamic function located elsewhere from the definition pointer

position [0302, 0331]. [The calling of the peripheral program is "part of the

translation process" and thus part of the "first compound transform definition."]

    e. transforming any found data element into an output data file, responsive

to the first compound transform definition and called dynamic function, a data

structure of the output data file being responsive to a data structure of the

transform process definition [0321, 0323, 0329].

f. positioning a definition pointer to point at a second compound transform

definition within the transform process definition [0321].

g. invoking a second processing thread to read the pointed at second

compound transform definition [0321, 0323]. [*The pointing to a specific "process*

definition" is done once a specific template is identified.]

h. searching data to be transformed for another data element to be

transformed, the search being responsive to the second compound transform

definition [0321, 0323].

i. transforming any found data element into the output data file, responsive

to the second compound transform definition, the data structure of the output

data file being responsive to the data structure of the transform process definition

[0308].

Lee, as discussed above, discloses data transformation using a plurality of

templates (templates are similar to transform definitions). However, Lee lacks the

concurrent/parallel processing of multiple transform definitions.

However, Chung does (Col 7 ln 15-22; Col 7 ln 52-66). Chung discloses

concurrently transforming data with multiple transformation definitions. The

transform definitions are for example, aggregation transformation, filter

transformation, rank transformation, etc.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Lee with Chung. One would have been motivated to do so in order to concurrently transform data so that "data contention is reduced and throughput is increased."

Claim 33: Lee as modified discloses the method of Claim 32 above and further discloses determining a type of the read first compound transform definition and, if the first compound transform definition is not a simple transform definition type, recursively calling the method of claim [0247, 0305, 0312].

Claim 34: Lee as modified discloses the method of Claim 32 above and further discloses including determining if all sub-definitions of a compound transform definition have been processed [0293, 0305, 0312].

Claim 35: Lee as modified discloses the method of Claim 32 above and further discloses wherein the method of transforming data includes nesting of a data element [0305, 0312].

Claim 36: Lee as modified discloses the method of Claim 32 above and further discloses if no data element is found in the step of searching data to be transformed, adding an output data file element to the output data responsive to the read first compound transform definition, the data to be transformed having no contribution to the output data element [0308, 0329].

Claim 37: Lee as modified discloses the method of Claim 32 above and further discloses wherein the read transform definition includes a value

parameter configured to specify a value for inclusion in the output data file [0318].

Claim 38: Lee as modified discloses the method of Claim 32 above and further discloses wherein the data element is a compound data element and the read transform definition includes a source record parameter configured to specify the compound data element [0308].

Claim 39: Lee as modified discloses the method of Claim 32 above and further discloses wherein the read first compound transform definition is in a meta-language format [0308, 0312].

Claim 40: Lee as modified discloses the method of Claim 32 above and further discloses wherein the data to be transformed data is in a meta-language data format [0308].

Claim 41: Lee as modified discloses the method of Claim 32 above and further discloses wherein the read first compound transform definition includes a transform element having an output field name and a source field parameter [0305, 0308, 0312].

Claim 42: Lee as modified discloses the method of Claim 32 above and further discloses wherein the read first compound transform definition includes a value parameter configured to populate a field in the output data file [0305, 0308, 0312].

Claim 44: <u>Lee</u> discloses a method of transforming data, the method comprising:

a. positioning a definition pointer to point at a transform definition, the first compound transform definition being one of a plurality of transform definitions within a transform process definition [0321].

b. invoking a first processing thread to read the pointed at first compound transform definition and sub-definitions of the first compound transform definition [0321].

c. positioning a first payload pointer to point at a data element to be transformed, the positioning being responsive to a data structure of the first compound transform definition [0321].

d. calling a dynamic function defined in the first compound transform definition, the dynamic function located elsewhere from the definition pointer position [0331]. [The calling of the peripheral program is "part of the translation process" and thus part of the "first compound transform definition."]

e. transforming any found data element into an output data file, responsive to the first compound transform definition and called dynamic function, a data structure of the output data file being responsive to a data structure of the transform process definition [0321, 0323, 0329].

f. positioning the definition pointer to point at a second compound transform definition, the second compound transform definition being within the transform process definition [0321].

g. invoking a second processing thread to read the pointed at second compound transform definition and sub-definitions of the second compound transform definition [0321, 0323].

h. positioning a second payload pointer to point at a data element to be transformed, the positioning being responsive to a data structure of the second compound transform definition [0321, 0323].

i. transforming the second data element into the output data file, responsive to the read second compound transform definition [0308].

Lee, as discussed above, discloses data transformation using a plurality of templates (templates are similar to transform definitions). However, Lee lacks the concurrent/parallel processing of multiple transform definitions.

However, Chung does (Col 7 ln 15-22; Col 7 ln 52-66). Chung discloses concurrently transforming data with multiple transformation definitions. The transform definitions are for example, aggregation transformation, filter transformation, rank transformation, etc.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Lee with Chung. One would have

been motivated to do so in order to concurrently transform data so that "data
contention is reduced and throughput is increased."

  Claim 45: <u>Lee</u> as modified discloses the method of Claim 44 above and
further discloses determining a type of the read first compound transform
definition and, if the read first compound transform definition is not a simple
transform definition type, recursively calling the method of claim 44 [0247, 0305,
0312].

  Claim 46: <u>Lee</u> as modified discloses the method of Claim 44 above and
further discloses determining a type of the read first compound transform
definition and, if the read first compound transform definition is not a simple
transform definition type, recursively calling the method of claim 44, wherein the
recursive call is responsive to the data structure of the transform process
definition [0305, 0308, 0312].

  Claim 47: <u>Lee</u> as modified discloses the method of Claim 44 above and
further discloses further including determining a type of the read first compound
transform definition, if the read transform definition is not a simple transform
definition type recursively calling the method of claim 44, and determining if all
sub-elements of a compound element have been transformed [0305, 0308,
0312].

  Claim 48: <u>Lee</u> as modified discloses the method of Claim 44 above and
further discloses further including determining if all sub-elements of a compound

element have been transformed and, if the determination returns a value of YES, returning to a calling process [0305, 0308, 0312].

Claim 50: <u>Lee</u> as modified discloses the method of Claim 44 above and further discloses wherein the method of transforming data includes un-nesting of the data element to be transformed [0305, 0308, 0312].

Claim 51: <u>Lee</u> as modified discloses the method of Claim 44 above and further discloses wherein the read first compound transform definition includes a source field parameter configured to specify the data element [0308].

Claim 52: <u>Lee</u> as modified discloses the method of Claim 44 above and further discloses wherein the read first compound transform definition includes a source record parameter configured to specify the compound data element [0305, 0308, 0312].

Claim 55: <u>Lee</u> as modified discloses the method of Claim 53 above and further discloses including a step of combining the data element with the transform process definition prior to transforming the data element to output data [0308].

Claim 56: <u>Lee</u> as modified discloses the method of Claim 53 above and further discloses wherein the transform process definition includes a tree data structure [0139].

Claim 59: <u>Lee</u> discloses a computer readable media having embodied thereon data, the data comprising:

    a. computer instructions configured to position a definition pointer to point at a first compound transform definition, the first compound transform definition being within a transform process definition [0305, 0307, 0312].

    b. computer instructions configured to invoke a first processing thread to read the pointed at first compound transform definition and sub-definitions of the first compound transform definition [0305, 0307, 0312].

    c. computer instructions configured to position a first payload pointer to point at a data element to be transformed, the positioning being responsive to a data structure of the first compound transform definition [0305, 0307, 0312].

    d. computer instructions configured to call a dynamic function defined in the first compound transform definition, the dynamic function located elsewhere from the definition pointer position [0331]. [The calling of the peripheral program is "part of the translation process" and thus part of the "first compound transform definition."]

    e. computer instructions configured to transform the data element into an output data file, responsive to the read first compound transform definition and called dynamic function [0305, 0307, 0312, 0329].

    f. computer instructions configured to position a second payload pointer to point at a data element to be transformed, the positioning being responsive to a data structure of the second compound transform definition [0305, 0307, 0312].

g. computer instructions configured to invoke a second processing thread to read the pointed at second compound transform definition and sub-definitions of the second compound transform definition [0305, 0307, 0312].

h. computer instructions configured to transform the second data element into the output data file, responsive to the read second compound transform definition [0305, 0307, 0312].

Lee, as discussed above, discloses data transformation using a plurality of templates (templates are similar to transform definitions). However, Lee lacks the concurrent/parallel processing of multiple transform definitions.

However, Chung does (Col 7 ln 15-22; Col 7 ln 52-66). Chung discloses concurrently transforming data with multiple transformation definitions. The transform definitions are for example, aggregation transformation, filter transformation, rank transformation, etc.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Lee with Chung. One would have been motivated to do so in order to concurrently transform data so that "data contention is reduced and throughput is increased."

Claim 60: Lee as modified discloses the media of Claim 59 above, and further discloses wherein the data further comprises computer instructions configured to employ recursion to transform a compound data element within the data to be transformed [0305, 0307, 0312].

Claim 65: <u>Lee</u> discloses an application system comprising:

a. means for positioning a definition pointer to point at a first compound transform definition within a transform process definition [0321].

b. means for invoking a first processing thread to read the first compound transform definition by the computing device [0321].

c. means for calling a dynamic function defined in the first compound transform definition, the dynamic function located elsewhere from the definition pointer position [0331]. [The calling of the peripheral program is "part of the translation process" and thus part of the "first compound transform definition."]

d. means for positioning the definition pointer to a point at a second compound transform definition within the transform process definition [0305, 0307, 0312].

e. means for invoking a second processing thread to read the second compound transform definition by the computing device [0305, 0307, 0312].

f. means for positioning a payload pointer to point to a first data element, the first data element being a member of a plurality of data elements within data to be transformed [0305, 0307, 0312].

g. means for generating an output data file using the first data element and the first and second compound transform definitions [0305, 0307, 0312, 0329].

h. wherein the means for positioning the definition pointer can be invoked concurrently with the means for positioning the payload pointer [0304].

Lee, as discussed above, discloses data transformation using a plurality of templates (templates are similar to transform definitions). However, Lee lacks the concurrent/parallel processing of multiple transform definitions.

However, Chung does (Col 7 ln 15-22; Col 7 ln 52-66). Chung discloses concurrently transforming data with multiple transformation definitions. The transform definitions are for example, aggregation transformation, filter transformation, rank transformation, etc.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Lee with Chung. One would have been motivated to do so in order to concurrently transform data so that "data contention is reduced and throughput is increased."

Claim 66: Lee as modified discloses the system of Claim 65 above, and further discloses means for selecting the transform process definition from a set of transform process definitions, responsive to data associated with the data to be transformed [0308].

Claim 67: Lee as modified discloses the system of Claim 65 above, and further discloses wherein a second data element has no contribution to output data generated using the transform process definition, the second data element being a member of the plurality of data elements [0308].

Claim 68: Lee as modified discloses the system of Claim 65 above, and further discloses means for adding data to the output data file, the added data

being configured responsive to the transform process definition and having no

contribution from the data to be transformed [0308].

Conclusion

5.   This is a request for continued examination of applicant's earlier

Application No. 10/661,167. All claims are drawn to the same invention claimed

in the earlier application and could have been finally rejected on the grounds and

art of record in the next Office action if they had been entered in the earlier

application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first

action in this case. See MPEP § 706.07(b). Applicant is reminded of the

extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no, however, event will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEX GOFMAN whose telephone number is (571)270-1072. The examiner can normally be reached on Mon-Fri 9am-3pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571)272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alex Gofman
Examiner
Art Unit 2162

7-7-10
AG
/John Breene/

Supervisory Patent Examiner, Art Unit 2162